

DRAFT Priorities for the 2005 General Assembly Session

NORFOLK SPECIFIC ISSUES

- 1) Jurisdiction of Norfolk Courts over bordering waterways:** Virginia Code section §16.1-69.29, concerning the jurisdiction of the district courts, and §17.1-516, concerning the jurisdiction of the circuit courts, exempts the cities of Norfolk and Richmond from maintaining jurisdiction over our bordering waterways.

These sections of the Virginia code provide that the courts of cities on both sides of a waterway, such as a river, shall have concurrent jurisdiction over the entire waterway. Both of these exemptions for Norfolk and Richmond are very old, the legislative intent cannot be determined for excluding the jurisdictional authority of these courts located in these cities.

This is becoming a problem now because of increased homeland security related patrolling by the Norfolk Police Harbor Patrol. Norfolk has stepped up its water patrols of the Chesapeake Bay and the buffer zones of our bridge tunnels. Additionally, this is an issue with DUI boating incidents. There is not a jurisdictional problem with the Elizabeth River because of Norfolk Charter authority. However, the Virginia Code should be amended to eliminate this exemption with regard to our remaining waterway borders.

- 2) City Charter Change: Popular Election of Mayor:** In 2000 the citizens of Norfolk passed an advisory referendum to allow for the popular election of the Mayor of Norfolk. The City requests amendments to the City Charter to provide for the popular election of the Mayor. The elected Mayor position will add an eighth elected position to the Norfolk City Council. The Mayor's powers will remain unchanged from the current charter authority.

STATEWIDE ISSUES

- 1) Eminent Domain:** Norfolk must retain the current rights of eminent domain in order to carry out its responsibilities, including redevelopment projects in order to provide the services the citizens expect, to provide jobs and business opportunities in our city and to protect the economic health of Norfolk.

- 2) **HB 599 Funding:** The City requests that the Governor and General Assembly continue to fully fund aid to localities for law enforcement as agreed to by HB 599.
- 3) **K-12 Education Funding:** The City supports funding of the At-Risk Student Achievement Program created by the 2004 General Assembly and established in §22.1-199.4 of the Code of Virginia.

Additionally, The current budget is the first to deduct federal funding from the basic aid sent to localities. Historically, federal funds have supplemented state and local funds. The precedent of subtracting these funds from basic aid constitutes a flawed policy that should be rescinded. This constitutes about a \$3 million fiscal impact for Norfolk.

- 4) **Personal Property Tax Relief Act (PPTRA):** The General Assembly should continue to promptly reimburse localities for personal property taxes. The Commonwealth's tax relief policy should not cause local cash flow problems or cause localities to lose investment income because of a delay in reimbursement.
- 5) **Transportation Funding:** Given the failure of the state to address this issue during the 2004 session and the consequent decline in transportation funding, the Commonwealth is experiencing disinvestments in its transportation infrastructure. Absent a major infusion of new and sustained investment in transportation, Virginia fears a congestion and mobility crisis that will strangle economic growth and profoundly and negatively affect the quality of life of all our citizens. The City of Norfolk supports the passage of dedicated revenue enhancing measures to address this critical need.
- 6) **Telecommunication Taxation Reform:** The City is committed to protecting our long-term financial interests and to ensuring a modern communications service tax policy that treats corporate competitors equitably. Local governments must be guaranteed -- on a locality-by-locality basis -- growing communications service tax revenues in exchange for the local right of entry and regulation, adequate local consumer protections and services, and efficient local public safety answering point operations (E-911 call centers).
- 7) **Virginia Enterprise Zone Program:** On July 1, 2005, the Virginia Enterprise Zone Program will "expire". The City requests the Governor, the Department of Housing and Community Development, and the General Assembly authorize the continuation and funding of this program.

UNRESOLVED AND FUTURE ISSUES

- 1) Hampton Roads Sports Facility Authority**
- 2) Virginia Baseball Stadium Authority**
- 3) Norfolk Light Rail Funding**